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In re Application of :  
Yoshiki Nishitani et al :  
Application No. 09/758,632 : DECISION ON PETITION  
Filed: January 10, 2001 : UNDER 37 CFR 1.313(c)(2)  
Attorney Docket No. 393032016800 :

This is a decision on the petition, filed April 13, 2006, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is DISMISSED.

Petitioner requests that this application be withdrawn from issue for consideration of an Information Disclosure Statement in a Request for Continued Examination. However, this application was held abandoned, in a Notice of Abandonment mailed April 6, 2006, for failure to timely take appropriate action (request that the previously paid issue fee be applied towards the new Notice by returning completed Part B - Fee(s) Transmittal) on or before January 19, 2006, as required by the Notice of Allowance and Fee(s) Due, mailed October 19, 2005. Accordingly, the request to withdraw cannot be granted until petitioner has submitted a grantable petition under 37 CFR 1.137 to accept the delayed submission of the reply to the Notice of October 19, 2005.

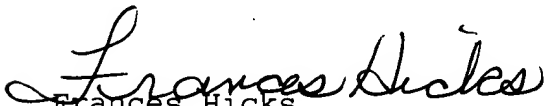
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Any questions concerning this matter may be directed to the undersigned at (571) 272-3218.

  
Frances Hicks  
Petitions Examiner  
Office of Petitions